



DEPARTMENT OF HEALTH & HUMAN SERVICES

Public Health Service

Food and Drug Administration
Rockville MD 20857

January 1997

Dear Retailer:

The information contained in this letter can help you comply with a new Federal regulation about cigarettes and smokeless tobacco that goes into effect beginning this February. This rule will directly affect your business if you sell these tobacco products or have in-store tobacco advertising.

As a retailer, you can make a significant difference in protecting children and adolescents from tobacco use. More than 80 percent of people who smoke had their first cigarette by their 18th birthday. Tragically, of the nearly 3,000 youngsters who become regular smokers every day, 1,000 will die prematurely because of their smoking.

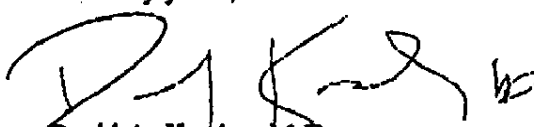
That is why last year President Clinton announced a new Federal regulation aimed at reducing significantly the number of young people who smoke cigarettes or use smokeless tobacco. Beginning February 28, 1997, it is a Federal violation for any retailer to sell these products to anyone under 18 years old. (The minimum age may be higher in your state.) Further, to prevent sales to youngsters under 18 who look older than their age, retailers must verify the age of any buyer under 27 by checking a photo ID showing the date of birth. Additional measures will take effect on August 28, 1997 and are listed in the enclosed material.

The U.S. Food and Drug Administration, in connection with State and local authorities, will actively enforce this regulation. Throughout the year, unannounced compliance checks, typically involving adolescents under 18, will be conducted to ensure that these measures are being observed. Retailers found selling to minors risk civil money penalties of \$250 or more and could be subject to other sanctions. Retailers reported to have sold cigarettes or smokeless tobacco to someone under 27 without checking their photo ID risk compliance checks being conducted in the future.

To help you understand and comply with the new requirements, FDA will hold a national video conference on February 18 and regional briefings around the country in February for retailers, health officials, community groups, and others. Further, we have developed the enclosed information to tell you and your employees about these briefings and the new regulation. If you would like more information, FDA has established a toll-free number (1-888-FDA-4KIDS) and has established a tobacco web site on FDA's Internet home page (<http://www.fda.gov>).

We're counting on working with you to help protect our country's young people from the risk of nicotine addiction and premature death. Thank you.

Sincerely yours,



David A. Kessler, M.D.
Commissioner of Food and Drugs

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